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ATTORNEY DOCKET NO.  
064731.0350

SERIAL NO.  
10/775,929

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Koji (nmi) Takeguchi  
Serial No.: 10/775,929  
Filing Date: February 10, 2004  
Title: *Upgraded Flexible Open Ring Optical Network and Method*

**Mail Stop: Amendments**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

<p>Certificate of Mailing by Express Mail No. EV 473957955 US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37. C.F.R. 1.10 on the date shown below, and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p>Name: <u>Willie Jiles</u> Willie Jiles</p> <p>Date: June 23, 2005</p>
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**INFORMATION DISCLOSURE STATEMENT**

Under 37 C.F.R. §§ 1.56, .97, and .98, Applicant respectfully requests that the references listed in the attached PTO-1449 form be considered and cited in the examination of the Application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. Copies of all other references are enclosed for the convenience of the Examiner.

**REMARKS**

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicant believes this Information Disclosure Statement has been filed before the mailing date of the first Official Action. Therefore, Applicant believes no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicant



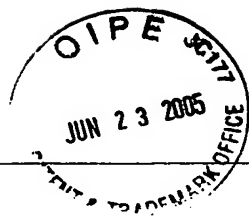
Brian W. Oaks  
Reg. No. 44,981

Date: June 23, 2005

Correspondence Address:

**Customer Number**

**05073**



PTO-1449  <b>Information Disclosure Citation In an Application</b>	<b>Application No.</b> 10/775,929		<b>Applicant(s)</b> Koji (nmi) Takeguchi	
	<b>Docket Number</b> 064731.0350	<b>Group Art Unit</b> Unknown	<b>Filing Date</b> February 10, 2004	

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	5,903,371	05/11/1999	Arecco et al.	359	119	10/15/1996
	B	6,456,406	09/24/2002	Arecco et al.	359	119	03/03/1999
	C	6,456,407	09/24/2002	Tammela et al.	359	119	07/27/2000
	D	6,590,681	07/08/2003	Egnell et al.	359	127	06/09/1999
	E	2002/0067523	06/06/2002	Way	359	119	11/21/2001
	F	2002/0149817	10/17/2002	Kiliccote et al.	359	119	03/29/2002

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	G							
	H							
	I							

**NON-PATENT DOCUMENTS**

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	J		
	K		
	L		
	M		
	N		
	O		

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE